

REMARKS

This is in response to the Official Action of August 10, 2005. First, the §112 second paragraph rejections are believed to be overcome by the amendments made to claims 11 and 14.

Reconsideration of the rejection on the art is respectfully requested. The independent claims have been extensively amended to make it clear that these are pivoting latch housings that include end walls, and which are pivoted about axes sufficiently far from the end walls so that the end walls will move in an arc and clear the heads of the studs on the existing wall mounted jack plate as the adapter housing is placed over the existing wall mounted jack plate, and then pivot to a position where the slots in the end walls on the latch housings will engage the shanks of the respective existing studs the slots are smaller than the head of the existing stud so that the adapter unit cannot be removed with the latch housing engaging the existing studs.

The advantage of this arrangement is quite clear, in that it avoids the need for having slides that are shown in the cited Kiko et al. publication, and the arrangement is not at all like the lock tab that is shown in the Weikle patent 6,186,826.

The Weikle patent has a much different concept or arrangement, in that there are no latches as such that actually engage the studs, but there is a key hole slot receiving one stud and then a tab that will prevent the adapter from being raised to release the key hole slot from the one stud. The pivoting member in Weikle does not latch onto a stud, but rather engages the head of a stud as a stop from movement parallel to the existing jack plate and prevents the adapter housing from being lifted to disengage the key hole slot.

While it is admitted that the Kiko et al. patent has sliding latches, again the pivoting latches makes it much easier

to make the unit, it is respectfully believed, and also makes it much easier to install because the pivoting latches can be actuated from the front of the adapter housing rather than having to slide them up and out for installation at the rear and then making sure that they are slid back into position.

In particular, both claims 1 and 11 include the features of the latch housings that are pivotally mounted about axes that are spaced from the end walls so that the end walls move in an arc that is sufficiently large so that in their open position or their first position, the adapter housing can be placed onto the existing wall mounted jack plate, and then the end walls can be pivoted down and latched behind the heads of the studs.

Note that in both claims, the slots in the end walls of the latch housings are defined as fitting over the shanks of the studs, but having a smaller dimension than the heads, so that they are locked in position.

The use of the pivoting latches also ensures that the ability to determine that the adapter plate will be held in position is enhanced, because the latches can be actuated from the exterior merely by pivoting, rather than sliding a slide that locks such as in the Kiko et al. patent, or merely having to use a key hole slot as in the Weikle patent.

The prior Weikle patent does not suggest a pivoting latch that goes behind the head of a stud. Instead this patent uses a key hole slot and a tab that resists lifting the adapter housing to release one stud from the key hole opening. Such arrangement clearly would not suggest taking sliding latches and pivoting them for operation.

Thus, the use of the pivoting latch housings that have the end wall with the open ended slot that will fit over the head of a stud on an existing wall jack plate and will slip over the shank to hold the adapter housing positively in position is not

shown or suggested in the references and it is thus believed that claims 1 and 11 are allowable.

The dependent claims have been amended, those which have not been canceled, to conform to the language of their parent claims, and are believed allowable therewith.

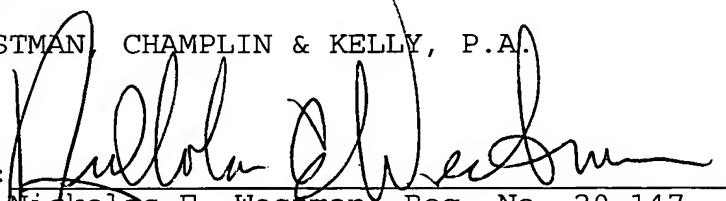
Favorable action is therefore respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By:


Nicholas E. Westman, Reg. No. 20,147
Suite 1400 - International Centre
900 Second Avenue South
Minneapolis, Minnesota 55402-3319
Phone: (612) 334-3222 Fax: (612) 334-3312

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